ORDINANCE NO. 2002 - 086

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **PUBLIC SCHOOLS FACILITIES ELEMENT** (TO MODIFY THE TIERED LEVEL OF SERVICE (LOS) TABLE AND THE MAXIMUM UTILIZATION TABLE FOR SCHOOL YEARS 2002-2003 AND 2003-2004); **MAP SERIES** (TO REVISE AND UPDATE MAPS FOR SCHOOL YEAR 2002-2003); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 14 & 28, July 12 & 22, 2002 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 24, 2002 and August 28, 2002 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on November 13, 2002 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated November 8, 2002 which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of Community Affairs contained no objections to the amendments contained in this ordinance;

WHEREAS, on December 18, 2002 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the text of the following Element of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

A. **Public Schools Facilities Element**, to modify the Tiered Level of Service (LOS) Table and the Maximum Utilization Table for School Years 2002-2003 and 2003-2004;

B. **Map Series,** to revise and update maps PS 2.1 through PS 3.3 for the School Year 2002-2003, maps 3.1 and 3.2 have been combined into a new map 3.1; and

C. Amending all elements as necessary for internal consistency.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part

Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 18 day of December, 2002.

ATTEST:
DOROTHY H. WILKEN, Clerk

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY FLORIDA

By: _____ Deputy Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By _____ For Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
COUNTY ATTORNEY

Filed with the Department of State on the 24 day of December, 2002

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EXHIBIT 1

A. **Public School Facilities Element,** School LOS and Map Updates

REVISIONS: To revise and update. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

Table 1.1-1
Standards for Tiered Level of Service

CSA	FACILITY TYPE	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
1	Elementary	120	110				
	Middle	130	125	110			
	High	110					
2	Elementary	110					
	Middle	130	130	110			
	High	~~115~~ 125	~~115~~ 125	~~115~~ 125	110		
3	Elementary	110					
	Middle	130	130	110			
	High	~~115~~ 125	~~115~~ 125	~~115~~ 125	~~110~~ 120	110	
4	Elementary	115	110				
	Middle	130	130	110			
	High	~~115~~ 125	~~115~~ 125	~~115~~ 125	~~110~~ 120	110	
5	Elementary	110					
	Middle	130	130	~~115~~ 110	~~110~~		
	High	135	135	130	130	110	
6	Elementary	110					
	Middle	130	130	~~120~~ 125	~~110~~ 120	110	
	High	120	120	~~120~~ 125	~~110~~ 120	110	
8	Elementary	110					
	Middle	130	130	125	~~115~~ 125	110	
	High	125	125	120	~~115~~ 120	110	
9	Elementary	~~110~~ 125	125	125	125	110	
	Middle	125	125	125	~~115~~ 120	110	
	High	~~120~~ 130	~~120~~ 130	~~120~~ 130	~~110~~ 130	110	
10	Elementary	135	120	110			
	Middle	125	125	125	125	110	
	High	120	120	120	110		
11	Elementary	135	135	110			
	Middle	125	125	125	110		
	High	125	125	~~125~~ 110	~~110~~		
12	Elementary	140	130	~~120~~ 110	~~115~~	~~110~~	
	Middle	135	135	135	~~115~~ 120	110	
	High	~~135~~ 140	~~135~~ 140	~~135~~ 140	120	110	
14	Elementary	125	125	115	110		
	Middle	~~135~~ 140	~~135~~ 140	~~135~~ 140	~~115~~ ~~140~~	110	
	High	135	130	~~130~~ 115	115	110	
15	Elementary	135	135	~~115~~ 110	~~115~~	~~110~~	
	Middle	~~125~~ 135	~~125~~ 135	~~125~~ 135	~~110~~ 135	110	
	High	135	135	~~135~~ 120	~~110~~ 120	110	
16	Elementary	130	~~115~~ 130	~~110~~ 130	130	110	
	Middle	~~120~~ 125	~~120~~ 125	~~120~~ 125	~~115~~ 125	110	
	High	~~135~~ 150	~~135~~ 150	~~135~~ 150	~~120~~ 150	110	
17	Elementary	130	125	110			
	Middle	135	130	~~130~~ 110	~~110~~		
	High	145	120	~~120~~ 115	110		
18	Elementary	120	115	~~115~~ 125	~~115~~ 125	110	
	Middle	~~120~~ 140	~~120~~ 140	~~120~~ 140	~~120~~ 140	110	
	High	145	~~120~~ 140	~~120~~ 140	~~115~~ 120	110	

CSA	FACILITY TYPE	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
19	Elementary	110					
	Middle	110					
	High	165	130	~~130~~ 110	~~130~~ 110	110	
20	Elementary	110					
	Middle	125	110				
	High	165	130	130	130	110	
21	Elementary	115	110				
	Middle	125	125	~~125~~ 110	110		
	High	125	125	~~125~~ 110	~~115~~	~~110~~	
22	Elementary	110					
	Middle	110					
	High	110	110	110	120	110	
23	Elementary	110					
	Middle	110					
	High	110					
Countywide	Alternative Schools	110					

Source: ~~Based on data depicted in the School District of Palm Beach County FY2001-FY2005 Five Year Plan and FY 2001 Capital Budget, June 2000, and the actual count of students in the second semester of the 2000-01 school year.~~ Based on data prepared by the School District of Palm Beach County, with input from Palm Beach County and the municipalities of Palm Beach County, published on March 2002.

Table 1.1-2
Maximum Utilization Table:
Standards for Utilization of Capacity

CSA	FACILITY TYPE	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
1	Elementary	165	125	~~125~~ 130	~~120~~ 130	120	120
	Middle	130	125	120	120	120	120
	High	120	120	120	120	120	120
2	Elementary	120	120	120	120	120	120
	Middle	130	130	120	120	120	120
	High	120	120	~~120~~ 125	120	120	120
3	Elementary	120	120	120	120	120	120
	Middle	130	130	120	120	120	120
	High	120	120	~~120~~ 125	~~120~~ 125	120	120
4	Elementary	155	150	120	120	120	120
	Middle	135	135	120	120	120	120
	High	135	135	130	130	120	120
5	Elementary	155	150	120	120	120	120
	Middle	140	135	120	120	120	120
	High	135	135	130	130	120	120
6	Elementary	155	145	~~120~~ 125	~~120~~ 125	120	120
	Middle	135	135	~~120~~ 135	~~120~~ 130	120	120
	High	120	120	~~120~~ 125	~~120~~ 125	120	120
8	Elementary	~~160~~ 120	~~160~~ 120	~~160~~ 120	~~145~~ 120	120	120
	Middle	135	135	135	~~130~~ 135	120	120
	High	120	120	120	120	120	120
9	Elementary	~~120~~ 130	~~120~~ 130	~~120~~ 130	~~120~~ 130	120	120
	Middle	135	135	135	130	120	120
	High	~~120~~ 130	~~120~~ 130	~~120~~ 130	~~120~~ 130	120	120
10	Elementary	205	165	~~120~~ 130	~~120~~ 130	120	120
	Middle	~~135~~ 140	~~135~~ 140	~~135~~ 140	~~135~~ 140	120	120
	High	120	120	120	120	120	120
11	Elementary	245	245	120	120	120	120
	Middle	125	125	120	120	120	120
	High	125	125	120	120	120	120
12	Elementary	150	150	~~125~~ 130	~~120~~ 130	120	120
	Middle	145	145	145	~~125~~ 130	120	120
	High	~~135~~ 145	~~135~~ 145	~~135~~ 145	120	120	120
14 14	Elementary	140	135	135	~~130~~ 135	120	120
	Middle	145	145	145	~~125~~ 145	120	120
	High	165	120	120	120	120	120
15	Elementary	180	180	~~165~~ 145	~~140~~ 145	120	120
	Middle	~~130~~ 140	~~130~~ 140	~~125~~ 140	~~120~~ 140	120	120
	High	135	135	~~135~~ 130	~~120~~ 125	120	120
16	Elementary	200	~~120~~ 175	~~120~~ 175	~~120~~ 175	120	120
	Middle	~~140~~ 150	~~125~~ 150	~~125~~ 150	~~125~~ 150	120	120
	High	~~135~~ 150	~~135~~ 150	~~135~~ 150	~~120~~ 150	120	120
17	Elementary	205	205	~~125~~ 155	~~125~~ 150	120	120
	Middle	175	175	~~175~~ 130	~~120~~ 130	120	120
	High	145	~~120~~ 135	~~120~~ 135	~~120~~ 135	120	120
18	Elementary	130	120	~~120~~ 135	~~120~~ 135	120	120
	Middle	~~130~~ 140	~~130~~ 140	~~130~~ 140	~~130~~ 140	120	120
	High	160	~~120~~ 145	~~120~~ 145	~~120~~ 125	120	120
19	Elementary	~~120~~ 130	~~120~~ 130	~~120~~ 130	~~120~~ 125	120	120

CSA	FACILITY TYPE	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
	Middle	120	120	120	120	120	120
	High	170	~~135~~ 145	~~135~~ 145	~~135~~ 130	120	120
20	Elementary	~~140~~ 120	~~140~~ 120	~~140~~ 120	~~135~~ 120	120	120
	Middle	130	120	120	120	120	120
	High	170	145	145	130	120	120
21	Elementary	165	145	~~120~~ 135	~~120~~ 135	120	120
	Middle	155	155	~~155~~ 135	~~120~~ 135	120	120
	High	145	145	145	~~120~~ 145	120	120
22	Elementary	120	120	120	120	120	120
	Middle	120	120	120	120	120	120
	High	120	120	120	120	120	120
23	Elementary	300	120	120	120	120	120
	Middle	120	120	120	120	120	120
	High	120	120	120	120	120	120
Countywide	Alternative Schools	120	120	120	120	120	120

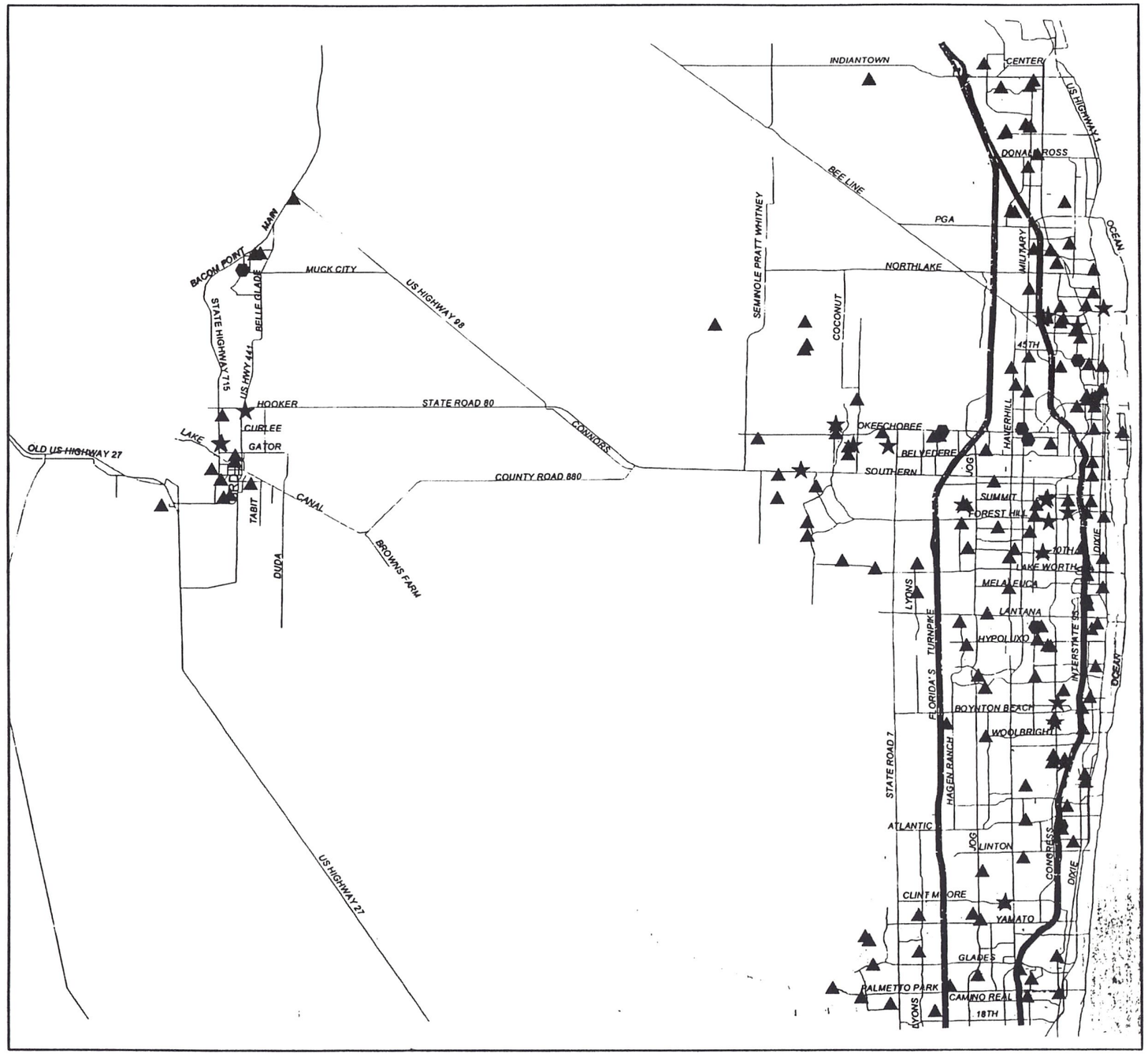
Source: ~~Based on data depicted in the School District of Palm Beach County FY2001-FY2005 Five Year Plan and FY 2001 Capital Budget, June 2000, and the actual count of students in the second semester of the 2000-01 school year.~~ Based on data prepared by the School District of Palm Beach County, with input from Palm Beach County and the municipalities of Palm Beach County, published on March 2002.

B. **Map Series,** Updated School Concurrency Maps

REVISIONS: To revise and update.

The exhibit includes the following five attached maps of the Public School Facilities Element (PSFE) of the County's 1989 Comprehensive Plan:

- Map PS 2.1: School Facility Locations
- Map PS 3.1: Planned Additional Capacity, and
- Map PS 3.3: Projected Additional Facility Demand 5-10 Year (SY 2007-08 to SY 2011-12)



PS 2.1
School Facility Locations

Legend

- Interstate 95
- Florida's Turnpike
- Major Roadways
- Waterways
- Elementary Schools
- High Schools
- Middle Schools
- Special Schools
- Ancillary Facilities

N
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S

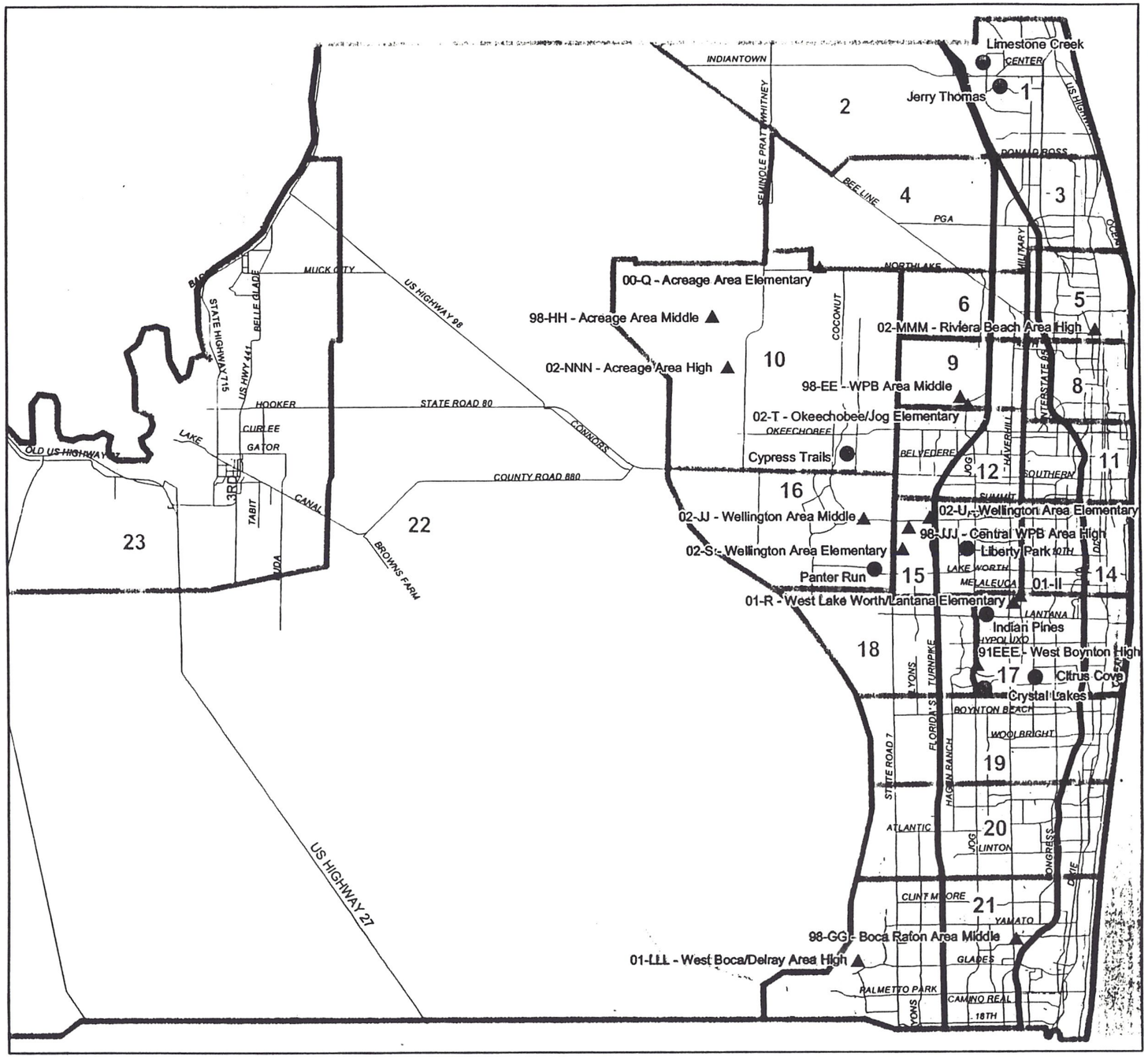
NOTE:
Map is not official, for presentation purposes only.

Palm Beach County School District

Planning Department - GIS

3300 Forest Hill Blvd.
West Palm Beach, Fl 33406

11/11/02 - DLG
all_schools_8x11.mxd



PS 3.1
Planned Additional Capacity

Legend

- Interstate 95
- Florida's Turnpike
- Major Roadways
- Waterways
- CSA Boundaries
- Planned Elementary
- Planned High
- Planned Middle
- Existing Elementary

N
W E
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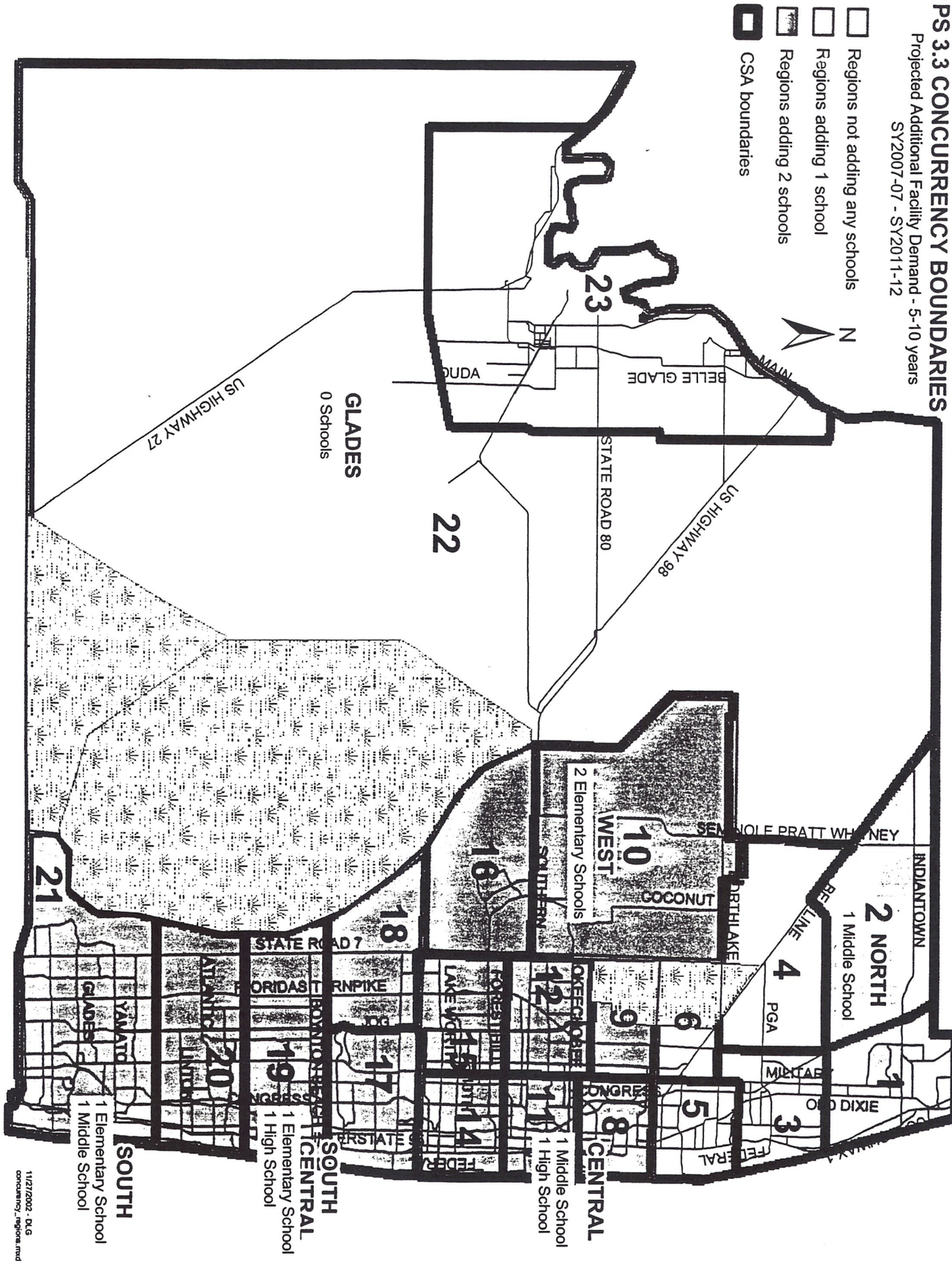
NOTE:
Map is not official, for presentation purposes only.

Palm Beach County School District

Planning Department - GIS

3300 Forest Hill Blvd.
West Palm Beach, Fl 33406

11/11/02 - DLG
all_school_8x11_PS3.1.mxd



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on December 18, 2002.
DATED at West Palm Beach, FL on 1/23/03.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.